

18.09.2023

SL. 8

Court No. 29

Sourav

(Dismissed)

C.R.M. (A) 3631 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **620** of **2020** dated **29.06.2020** under Sections **376/370/372/373/34** IPC read with Sections **3/4/5/7** of the Immoral Traffic (Prevention) Act with Sections **4/8/12/17** of the POCSO Act.

And

In the matter of: **Sunhakar Chakraborty @ Subhankar Chakraborty**

....petitioner.

Mr. Arnab Chatterjee

Mr. Anisur Rahaman

...for the petitioner.

Mr. Sudip Ghosh

Mr. Koushik Kundu

...for the State.

1. Heard learned Counsel for the parties.
2. Proclamation having been published under Section 82 of the Cr.P.C. against the petitioner on 29.12.2021 and the present petition for anticipatory bail having been filed on 16.08.2023, it is not maintainable as such, in view of authoritative judicial dictums.
3. Accordingly, the application being **CRM (A) 3631 of 2023** is dismissed.
4. The report dated 14.09.2023 as submitted by I.C. Berhampore P.S., Murshidabad be taken on record.
5. However, if the petitioner appears before the competent Court within 15 days from today with three days advance notice to the PP/APP attached to the said Court and files application for bail, such application for bail shall be disposed of on merit on the same day. It is also mentioned that in the event the

ground of parity is canvassed by the present petitioner, the same may be considered liberally by the said competent court in accordance with law.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

